

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

8

TITLE OF CASE

ATTORNEYS

UNITED STATES OF AMERICA

VS

Articles of food consisting of a commingled lot of approximately 557 cases of 12 cans each, of various kinds of canned soups, including but not limited to vichyssoise, cream vichyssoise, clam madrilene, and mushroom consommé, in 13 ounce and other size cans, of which the following is a representative label:

(can) "Bon Vivant Vichyssoise Soup***
Packed by Bon Vivant Soups, Inc.,
Newark, N. J. ***".

For plaintiff:

Nathan G. Graham, U. S. Attorney
Robert P. Santee, Asst. U.S. Atty.

For defendant:

Blackstock & McMillan (367-2262)
P. O. Box 1200
Bristow, Oklahoma 74010

STATISTICAL RECORD

COSTS

DATE

NAME OR
RECEIPT NO.

REC.

DISB.

J.S. 5 mailed 9-1-71

Clerk

J.S. 6 mailed 4-1-72

Marshal

Basis of Action: Forfeiture
of contaminated foods

Docket fee

Witness fees

Action arose at:

Depositions

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-26-71	Complaint, filed. Summons issued. g	
8-27-71	Return on U.S. Marshals Service,, Complaint and Summonss, filed. Served Food Distributors, Inc., by serving Bill Boerstler, Pres., in Bristow, Okla., on 8-26-71, with fees of \$10.80. v	
8-30-71	Order for Warrant of Arrest of Property and for Notice, filed.(FD-J) r	
8-31-71	Notice, filed. g	
9-13-71	Answer of the claimant, Food Distributors, Inc., filed. m	
9-21-71	Proof of publication, filed. m	
12-2-71	Claim of Bon Vivant Soups, Inc. filed. ds	
12-3-71	Case set for Pre-Trial Hearing on Monday, December 20, 1971 at 11:45 A.M., (FD-J)r	
12-14-71	MINUTE ORDER; Case stricken from Pre-Trial conference setting of 12-20-71 by agreement of counsel, (FD-J)r	
1-28-72	MINUTE ORDER: Case set for pre-trial hearing, 9:30 a.m., 2/14/72. (FD-J) rm	
2-11-72	Pltf's Motion for Default decree of condemnation, filed. r	
2-11-72	Points and Authorities in support of Pltf's Motion for Default Decree of Condemnation, filed. r	
2-14-72	Case called for Pre-Trial Hearing. Pltf represented by Nathan G. Graham; Deft was not represented. Pltf requests that Motion for Default (filed on 2-11-72) be withdraw, which court granted. Court rules upon the telegram to consolidate this case to New Jersey. Case is hereby stricken from Pre-Trial. (FD-J)r	
2-15-72	Telegram from Bon Vivant Soups inc's atty to J. D. stating they have orally consolidated this action into New Jersey, Order is now being prepared. filed. r	
3-3-72	Order of USDC, Dist. of New Jersey, consolidating this action with their No. 1238-71, filed. (Lawrence A. Whipple, Judge)g	
3-6-72	Order of USDC, Dist. of N.J., directing U.S. Marshal to permit inspection and inventory of seized articles.	
3-6-72	Case transferred to USDC, N.J., for consolidation with No. 1238-71. g	
8-6-74	Certified copy of Order from USDC, N.J., ordering that seized articles shall be destroyed by various U.S. Marshals in each applicable district, filed. (LAW-J)k <i>c/c to us marshal</i>	